

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES SECURITIES AND
EXCHANGE COMMISSION,

Plaintiff,

Case No. 09-12950
Honorable David M. Lawson

v.

JOHN J. BRAVATA, RICHARD J.
TRABULSY, ANTONIO M. BRAVATA,
BBC EQUITIES, LLC, BRAVATA
FINANCIAL GROUP, LLC, and SHARI A.
BRAVATA,

Defendants.

**ORDER GRANTING RECEIVER'S MOTION FOR TURNOVER AND SALE OF
CERTAIN ASSETS AND DENYING MOTION TO STAY FOR MISCELLANEOUS RELIEF**

This matter is before the Court on the Receiver's motion for turnover and sale of certain assets. Although the defendants were served with the motion and given notice of the hearing, none of the defendants appeared at the motion hearing. However, Joseph Bravata, John Bravata's brother, appeared to address his concerns regarding his safety deposit box. The Court has reviewed the parties' submissions and heard oral argument in open court on August 3, 2011.

Accordingly, it is **ORDERED** that the Receiver's motion for turnover and sale of certain assets [dkt. #451] is **GRANTED** for the reasons stated on the record.

It is further **ORDERED** that John Bravata's motion to stay for miscellaneous relief [dkt. #468] is **DENIED** for the reasons stated on the record.

It is further **ORDERED** that John Bravata, Shari Bravata, and Antonio Bravata (the "Bravata Defendants") shall contact the Receiver and make the following vehicles and watercraft (the "Vehicles") available for pickup at a mutually agreeable designated time and place:

- (a) 2007 Maserati Quattroporte, VIN ZAMCE39A170026995;
- (b) 1995 Ferrari 348 Spider, VIN ZFFRG43A7S0099483;
- (c) 2004 Seadoo personal watercraft (ZZN56504C303(4668SR;T); and
- (d) 2003 Seadoo personal watercraft (ZZN56504C303(4668SR;T).

It is further **ORDERED** that failure to turnover the Vehicles shall be contempt of court.

It is further **ORDERED** that the United States Marshal is authorized to seize the Vehicles and deliver them to a location designated by the Receiver if the Bravata Defendants do not contact the Receiver within seven (7) days to make the Vehicles available for pickup by the Receiver.

It is further **ORDERED** that the Receiver shall obtain an appraisal or opinion of value (the “Appraisals”) of the Vehicles.

It is further **ORDERED** that the Receiver shall determine the best method for sale of the Vehicles and shall submit the proposed terms of sale with the Appraisals to the Court for approval.

It is further **ORDERED** that the Bravata defendants may file objections to the proposed terms of sale within ten (10) days of the Receiver’s submission of the proposed terms of sale to the Court. Unless the Court deems a hearing necessary, the Court shall rule on the terms of sale and written objections without hearing.

It is further **ORDERED** that Joseph Bravata shall provide the Receiver with the opportunity to inventory the contents of the safety deposit box (the “Box”) located at Comerica Bank under the following conditions:

- (a) Joseph Bravata, Larry Dalman, and the Receiver will meet at Comerica Bank at a mutually agreed upon date and time.
- (b) The Box will be opened in the presence of Earle Erman, Joseph Bravata, and Larry Dalman.

(c) Larry Dalman shall review any document contained within the Box to determine if it relates to any Receivership Entity or any Bravata Defendant. If a document is related to any Receivership Entity or any Bravata Defendant, the Receiver shall inventory that document. If Larry Dalman determines that a document is part of Joseph Bravata's testamentary documents ("Joseph Bravata's Will"), the Receiver shall not inventory that document, even if the Joseph Bravata's Will refers to a Bravata Defendant. If Larry Dalman is unsure whether a document is related to a Receivership Entity or any Bravata Defendant, the Receiver shall inventory that document.

(d) The Receiver shall inventory any physical item within the Box except documents, which are inventoried pursuant to paragraph (c). The Receiver shall have the right to handle and physically examine any physical items.

(e) After the Receiver has conducted an inventory, the Receiver shall file a Notice of Intent to Abandon the Box if the Receiver determines that there are no Receivership Assets or assets subject to the asset freeze within the Box. If there are no objections to the Receiver's Notice of Intent to Abandon the Box, the Court will enter an order granting the Receiver authority to abandon the Box without further hearing.

It is further **ORDERED** that the Asset Freeze Order is modified to allow Comerica Bank to provide access to the Box in a manner consistent with this order.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: September 1, 2011

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on September 1, 2011.

s/Deborah R. Tofil
DEBORAH R. TOFIL